

ATTORNEY DOCKET NO.  
062891.0640  
Confirmation No. 4526

PATENT APPLICATION  
10/042,914

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REMARKS

Applicant has carefully reviewed the Application in light of the Final Office Action mailed August 25, 2006. At the time of the Office Action, Claims 1, 3-7, 9-11, 13-33 were pending in the Application. Applicant amends Claims 1, 3, 7, 9, 11, 16, 17, 23, 30 and 33 without prejudice or disclaimer. The amendments to these claims are not the result of any prior art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Section 112 Rejection

The Examiner rejects Claims 1, 3-7, 9-11, 13-16, 23-27, and 29 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has made a series of amendments to address the Examiner's concerns. Hence, all the claims are now in condition for an immediate allowance. Notice to this effect is respectfully requested.

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CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Applicant believes that no fees are due. However, if this is not the case, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at 214.953.6675.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicant

  
Thomas J. Frame  
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Date: October 24, 2006

Customer No. **05073**